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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,200	11/07/2001	Mitsunori Omokawa	P 284086 T4YKA-01S1385-1	4668
909	7590	09/07/2006	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500 MCLEAN, VA 22102			CHOWDHURY, NIGAR	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/986,200	<b>Applicant(s)</b> OMOKAWA ET AL.	
	<b>Examiner</b> Nigar Chowdhury	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 6 and 9 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed June 19, 2006 have been fully considered but they are not persuasive.

In re page 10, applicant argues that " a first predetermined period that takes into account a delay in the first time pressing of the skip key" and " the first predetermined period and a second predetermined period, which is longer than the first predetermined period"

In response, the examiner respectfully disagrees. When skip key is pressed for the first time, there is a delay in between pressing and reproducing the image. Therefore, the claimed limitation is an inherent characteristic of the Shimizu et al. Shimizu et al. discloses second predetermined period which is longer than the first predetermined period. See Col. 4 lines 64-Col. 5 lines 3.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,262,951 by Shimizu et al.

2. In claim 1, an image reproducing apparatus reproducing image information from a recording medium, comprising:

- A reproduction processor reproducing the image information stored in the recording medium (Fig. 1, Col. 1 line 9-11)
- A key input section having a skip key (Col. 4 line 52)
- A first skip processor configured to cause skipping, when the skip key is pressed a first time, the reproduction of the image information by the reproduction processor for a first predetermined period that takes into account a delay in the first time pressing of the skip key (There is delay in between pressing the skip key and reproduction of the image information. Therefore, the claimed limitation is an inherent characteristic of the Shimizu et al.) and resuming the reproduction of the image information by the reproduction processor after the first predetermined period is passed (Fig. 3, Col. 4 line 35-40, 57-63)
- A second skip processor configured to cause skipping, when the skip key is pressed two times within a certain period, of the reproduction of the image information by the reproduction processor for the first predetermined period and second predetermined period which is longer than the first predetermined period and resuming the reproduction of the

image information by the reproduction processor after the first predetermined period and the second predetermined period have been lapsed (Col. 4 line 64-67, Col. 5 line 1-3)

3. Claims 6, 9 are rejected for the same reason as discussed in the corresponding claim 1 above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,262,951 by Shimizu et al.

5. Regarding claim 5, an image reproducing apparatus according to claim 1, wherein:

- When the skip key is pressed twice in a certain period, the reproduction processor skips reproduction for the first predetermined period in response to first-time pressing of the skip key (Col. 4 lines 35-64)

- When the skip key is pressed a second time when reproduction is still being skipped, the reproduction processor skips the reproduction for the second predetermined period, which is longer than the first predetermined period (Col. 4 line 64-67, Col. 5 line 1-3)

Reference fails to teach a third predetermined period shorter than the second predetermined period.

Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have third predetermined period shorter than the second predetermined period like the reference has the period of the skipping can be increased for viewer convenience.

### ***Allowable Subject Matter***

Claims 2, 3, 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the dependent claim 2 has a feature "wherein the first predetermined period is shorter than the second predetermined period by 1 to 5 seconds"

The independent claim 3 has a feature "wherein the first predetermined period is shorter than a predetermined multiple of 15 seconds by 1 to 5 seconds, and the second predetermined period is a predetermined multiple of 15 seconds"

The independent claim 4 has a feature "wherein the first predetermined period is in the range of about 25 seconds to about 29 seconds, and the second predetermined periods is 30 seconds"

**Shimizu, US 6,262,951**, discloses an arbitrary desired reproducing time is set for reproducing information recorded on a recording medium, and an ordinary reproducing time is obtained based on management information recorded on the recording medium when the recorded information is reproduced at a standard reproducing speed. A skipping rate is calculated from the desired reproducing time and the ordinary reproducing time. A reproducing device is provided for reproducing the information recorded on the recording medium in the set desired reproducing time at the calculated skipping rate.

**Itoh, US 6,205,427**, discloses when a user depresses a normal mode key of a key pad the computer provides a voice signal which reads text data aloud at a normal speed. When the user depresses a fast feed mode key, the computer converts only a section of the text data at a speed(1.5 to 3 times the normal speed) which will enable the user to understand the content to a voice signal.

None of the prior art, either singularly or in combination, fails to anticipate or render the above underlined limitations obvious.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

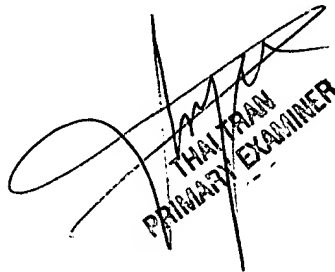


Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NC

09/05/2006

A handwritten signature in black ink is written over a rectangular stamp. The stamp contains the text "THAI TRAN" on the top line and "PRIMARY EXAMINER" on the bottom line, both in a bold, sans-serif font.